

2011 AB 166 Rep. Mursau
**Remarks for Assembly Committee on Tourism, Recreation and State Properties
Regarding Assembly Bill 166 – Membership on the State Trails Council**
By Representative Jeff Mursau
June 1, 2011

Thank you Chairman Kaufert and Committee member for hearing AB 166, my legislation changing the membership of the State Trails Council.

In 2007, it became apparent to me and other members of the Wisconsin State Legislature that the needs of motorized trail recreationist were not being met by the current structure of the State Trails Council. As a result, I introduced legislation, 2007 AB 600 to restructure it in a way to give a better voice on the Council to the variety of motorized recreational trail enthusiasts.

Following the introduction of that bill, I heard from members of the State Trails Council that promised a change in the way the Council operates that would achieve my goal without my suggested statutory changes. It is my belief that in the three years since that promise was made to me, the changes proposed by the State Trails Council and others have not met and will not meet the goal: to give a better voice on the council to the variety of motorized recreational trail enthusiasts.

2011 AB 166 is a reintroduction of my 2007 bill. It will expand the number of members on the Council from 9 generally described members to 15 specifically described members. Under current law, it is left to the discretion of the Governor to decide which organizations will be represented and who will represent them.

Further, in 20010 the State created another State council for trail users, the “Nonmotorized Recreation and Transportation Trails Council. This new council was very specific about who their members were to be and ensures nonmotorized have a *separate* panel to advance the needs of those with direct opposite interests (silent sports) to gain access to State government. Motorized vehicle user groups deserve equal statutorily required and specific access to State government.

AB 166 will create a specific membership slot for all 15 members of the Council:

1. Snowmobile operators
2. All Terrain Vehicle operators
3. 4-Wheel Drive Vehicle operators
4. Off Highway Motorcycle Vehicle operators
5. Equestrian operators
6. Recreational hikers and walkers
7. On-road bicyclists
8. Mountain or off-road bicyclists
9. Cross country skiers
10. Skateboarders and rollerbladers
11. Water trail (boat, kayak) operators
12. *Secretary of the Department of Transportation or a designee, non-voting as under current law*
13. *Secretary of the Department of Tourism or a designee, non-voting as under current law*
14. *Secretary of the Department of Natural Resources or a designee, non-voting as under current law*
15. *An expert on trail accessibility for the disabled, non-voting as under current law*

Thank you again for hearing this bill today, I'd be happy to take any questions committee members may have.



State of Wisconsin
2011 – 2012 LEGISLATURE



LRB-0659/1
RNK:kpe&kjf:md

2011 ASSEMBLY BILL 166

May 31, 2011 – Introduced by Representatives MURSAU, BERNIER, BROOKS, LEMAHIEU, A. OTT, SPANBAUER and THIESFELDT, cosponsored by Senator HOLPERIN. Referred to Committee on Tourism, Recreation and State Properties.

- 1 **AN ACT** *to renumber and amend* 15.347 (16); and *to create* 15.347 (16) (a) and
2 15.347 (16) (b) of the statutes; **relating to:** membership on the State Trails
3 Council.

Analysis by the Legislative Reference Bureau

Under current law, the State Trails Council (council) advises the Department of Natural Resources regarding the planning, acquisition, development, and management of state trails. The council consists of nine members, appointed by the governor for four-year terms, who are knowledgeable in various recreational uses of trails.

This bill expands the membership of the council from 9 to 15 members, and requires four of the members to be nonvoting members. The bill requires the secretaries, or their designees, of the Department of Transportation, the Department of Tourism, and the Department of Natural Resources to serve as nonvoting members of the council. The bill requires the fourth nonvoting member to be a person with expertise with regard to accessibility challenges for individuals with physical disabilities.

The bill also requires that the 11 voting members of the council each represent a specific interest group. Those groups include snowmobile operators, all-terrain

ASSEMBLY BILL 166

vehicle operators, off-road motorcycle operators, equestrians, cross-country skiers, and hikers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.347 (16) of the statutes is renumbered 15.347 (16) (intro.) and
2 amended to read:

3 **15.347 (16) STATE TRAILS COUNCIL.** (intro.) There is created in the department
4 of natural resources a state trails council consisting of ~~9 members, appointed for~~
5 ~~4-year terms, who are knowledgeable in the various recreational uses of trails~~ the
6 members specified in pars. (a) and (b).

7 **SECTION 2.** 15.347 (16) (a) of the statutes is created to read:

8 **15.347 (16) (a) Nonvoting members.** The state trails council shall consist of the
9 following nonvoting members:

- 10 1. The secretary of the department of transportation or his or her designee.
11 2. The secretary of the department of tourism or his or her designee.
12 3. The secretary of the department of natural resources or his or her designee.
13 4. One member with expertise with regard to accessibility challenges for
14 individuals with physical disabilities.

15 **SECTION 3.** 15.347 (16) (b) of the statutes is created to read:

16 **15.347 (16) (b) Voting members.** The state trails council shall consist of the
17 following voting members who shall be appointed for 4-year terms:

- 18 1. One member who represents snowmobile operators.
19 2. One member who represents all-terrain vehicle operators.
20 3. One member who represents 4-wheel drive vehicle operators.
21 4. One member who represents off-highway motorcycle operators.

ASSEMBLY BILL 166

- 1 5. One member who represents equestrians.
- 2 6. One member who represents recreational hikers and walkers.
- 3 7. One member who represents on-road bicyclists.
- 4 8. One member who represents mountain or off-road bicyclists.
- 5 9. One member who represents cross country skiers.
- 6 10. One member who represents skateboarders and rollerbladers.
- 7 11. One member who represents persons who engage in activities on water
- 8 trails.

9 **SECTION 4. Nonstatutory provisions.**

(1) INITIAL TERMS. Notwithstanding the length of terms specified for the voting members of the state trails council under section 15.347 (16) (b) of the statutes, as created by this act, the terms of the 2 initial voting members of the expanded membership shall expire on July 1, 2015.

(2) APPOINTMENTS UPON EXPIRATION OF TERMS. Notwithstanding the requirements for membership on the state trails council under section 15.347 (16) of the statutes, as affected by this act, any member who is serving on the state trails council on the day before the effective date of this subsection may continue to serve as a member of the council under section 15.347 (16) of the statutes, as affected by this act, for the term for which the member was appointed or until his or her successor is appointed and qualified, whichever occurs later. Beginning on the effective date of this subsection, as vacancies occur on the council, the governor shall appoint members of the council in a manner that satisfies the membership requirements under section 15.347 (16) of the statutes, as affected by this act.

24 (END)



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 394 [2009 Senate Bill 266]	Nonmotorized Recreation and Transportation Trails Council
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2009 Wisconsin Act 394 creates the Nonmotorized Recreation and Transportation Trails Council (council) in the Department of Natural Resources (DNR). The Act requires the Governor to appoint and determine the number of members on the council. In appointing the members, the Act directs the Governor to seek geographic diversity in the membership and to consider appointing members from statutorily specified categories. These categories include, but are not limited to: water trails; pedestrian travel; equestrian trail riding; long-distance hiking; nature-based activities (e.g., bird watching, nature study, hunting, and fishing); snow sports (e.g., cross-country skiing and snowshoeing); bicycling; local forests and parks; tourism promotion; tribal lands; and persons with disabilities who engage in nonmotorized trail activities.

The council is directed to carry out studies and make recommendations to the Legislature, Governor, DNR, and the Department of Transportation (DOT) on all matters related to nonmotorized recreation transportation and trails, including matters relating to the categories specified above and other related categories and issues. DNR and DOT must seek the advice of, and consult with, the council regarding the planning, acquisition, development, maintenance, and management of these trails.

Effective date: June 2, 2010

Prepared by: Dan Schmidt, Senior Analyst

May 21, 2010

DWS:jb;ty

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

2007 ASSEMBLY BILL 600

November 29, 2007 – Introduced by Representatives MURSAU, MONTGOMERY, KLEEFISCH, LEMAHIEU and TOWNSEND, cosponsored by Senators BRESKE, GROTHMAN and LAZICH. Referred to Committee on Rural Economic Development.

1 **AN ACT** *to renumber and amend* 15.347 (16); and *to create* 15.347 (16) (a) to
2 (d) of the statutes; **relating to:** membership on the State Trails Council.

Analysis by the Legislative Reference Bureau

Under current law, the State Trails Council (council) advises the Department of Natural Resources regarding the planning, acquisition, development, and management of state trails. The council consists of nine members, appointed by the governor for four-year terms, who are knowledgeable in various recreational uses of trails.

This bill expands the membership of the council from nine to eleven members. The bill also requires that the council include one member who represents snowmobile users, one member who represents all-terrain vehicle users, one member who represents users of motor vehicles that have four wheels and that are manufactured principally for off-highway use, and one member who represents users of off-highway motorcycles that are manufactured principally for off-highway use.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 15.347 (16) of the statutes is renumbered 15.347 (16) (intro.) and
4 amended to read:

ASSEMBLY BILL 600

1 15.347 (16) STATE TRAILS COUNCIL. (intro.) There is created in the department
2 of natural resources a state trails council consisting of 9 11 members, appointed for
3 4-year terms, who are knowledgeable in the various recreational uses of trails. The
4 membership of the council shall include all of the following:

5 **SECTION 2.** 15.347 (16) (a) to (d) of the statutes are created to read:

6 15.347 (16) (a) One member who represents all-terrain vehicle users.

7 (b) One member who represents snowmobile users.

8 (c) One member who represents users of motor vehicles with 4 wheels that are
9 manufactured principally for off-highway use.

10 (d) One member who represents users of motorcycles that are manufactured
11 principally for off-highway use.

12 **SECTION 3. Nonstatutory provisions.**

13 (1) INITIAL TERMS. Notwithstanding the length of terms specified for the
14 members of the state trails council under section 15.347 (16) of the statutes, as
15 affected by this act, the terms of the initial members of the expanded membership
16 shall expire on July 1, 2011.

17 (2) APPOINTMENTS UPON EXPIRATION OF TERMS. Notwithstanding the
18 requirements for membership on the state trails council under section 15.347 (16) of
19 the statutes, as affected by this act, any member who is serving on the state trails
20 council on the day before the effective date of this subsection may continue to serve
21 as a member of the council under section 15.347 (16) of the statutes, as affected by
22 this act, for the term for which the member was appointed or until his or her
23 successor is appointed and qualified, whichever occurs later. Beginning on the
24 effective date of this subsection, as vacancies occur on the council, the governor shall

ASSEMBLY BILL 600

1 appoint members of the council in a manner that satisfies the membership
2 requirements under section 15.347 (16) of the statutes, as affected by this act.

3 (END)

Committee on Rural Economic Development

Assembly Bill 600

Relating to: membership on the State Trails Council.

By Representatives Mursau, Montgomery, Kleefisch, LeMahieu, Townsend and Hraychuck; cosponsored by Senators Breske, Grothman and Lazich.

November 29, 2007 Referred to Committee on Rural Economic Development.

March 11, 2008 PUBLIC HEARING HELD

Present: (9) Representatives Mursau, A. Ott, M. Williams, Wood, Murtha, Nelson, Garthwaite, Hilgenberg and Hixson.

Absent: (0) None.

Appearances For

- John Schnorr, Fond du Lac — Wisconsin Off-Highway Vehicle Association
- Timothy Duenkel, Fredonia — Wisconsin Off-Highway Vehicle Association
- Bryan Much, Oconomowoc
- Alex Bub, Random Lake — Wisconsin Off-Highway Motorcycle Association
- James Goeldner, West Bend — Damage Inc. 4X4 Club
- Luana Schneider, DeForest — Wisconsin Four Wheel Drive Association

Appearances Against

- Harold Schmidt, Milwaukee — Wisconsin Off Road Bicycling Association
- David Phillips, Madison

Appearances for Information Only

- David Phillips, Madison — Wisconsin State Trails Council

Registrations For

- Roger Breske, Eland — Senator, 12th Senate District
- Rob McConnell, Madison — Wisconsin ATV Association
- Robert Jentz, Madison — Association of Wisconsin Snowmobile Clubs

Registrations Against

- None.

Registrations for Information Only

- None.

March 11, 2008 EXECUTIVE SESSION HELD

Present: (9) Representatives Mursau, A. Ott, M. Williams, Wood, Murtha, Nelson, Garthwaite, Hilgenberg and Hixson.

Absent: (0) None.

Moved by Representative A. Ott, seconded by Representative Garthwaite that Assembly Amendment 1 be recommended for adoption.

Ayes: (9) Representatives Mursau, A. Ott, M. Williams, Wood, Murtha, Nelson, Garthwaite, Hilgenberg and Hixson.

Noes: (0) None.

ASSEMBLY AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 9, Noes 0

Moved by Representative A. Ott, seconded by Representative Wood that Assembly Bill 600 be recommended for passage as amended.

Ayes: (8) Representatives Mursau, **A. Ott, M. Williams, Wood, Murtha**, Nelson, Garthwaite and Hilgenberg.

Noes: (1) Representative Hixson.

PASSAGE AS AMENDED RECOMMENDED, Ayes 8, Noes 1

Andrew Potts Committee Clerk

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as of Tuesday, May 31, 2011

2007-2008 legislative session

Legislative bills and resolutions

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Assembly Bill 600

membership on the State Trails Council.

TEXT
sponsors
LBR analysis

STATUS
committee actions
and votes
text of amendments

COST & HOURS
of lobbying efforts
directed at this
proposal

Organization		These organizations have reported lobbying on this proposal:	Place pointer on icon to display comments, click icon to display prior comments		
Profile	Interests		Date Notified	Position	Comments
		Association of Wisconsin Snowmobile Clubs Inc	1/15/2008		

Select a legislative proposal and click "go"

House

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Proposal Type

Bill
Joint Resolution
Resolution

Proposal Number (enter
proposal number)

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